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Letter dated 17 April 2017 from the Secretary-General addressed to the President of the Security Council

Following the outbreak of hostilities in Juba from 8 to 11 July 2016 and the resulting violence perpetrated against civilians, on 23 August 2016, my predecessor, Ban Ki-moon, ordered an independent special investigation, led by Major General (retired) Patrick Cammaert, to examine the actions of the United Nations Mission in South Sudan (UNMISS) in response to the attacks on civilians that occurred, notably within or in the vicinity of the UNMISS compounds in Juba, including the Terrain Hotel and the adjacent protection of civilians sites. On 1 November 2016, an executive summary of the report, including recommendations of the independent special investigation, was shared with the members of the Security Council, as well as publicly released. The recommendations targeted issues unique to UNMISS, as well as those more systemic in nature.

The United Nations employed a two-track approach to take forward those recommendations. First, a Headquarters task force was established to implement the recommendations on systemic and strategic issues under the chairmanship of the Assistant Secretary-General for Peacekeeping Operations. Second, UNMISS devised an action plan to implement the Mission-specific recommendations and provided regular updates to the task force. To keep the Security Council informed about the progress of implementation, a letter was transmitted to the Council on 23 December 2016, followed by a briefing by the Assistant Secretary-General for Peacekeeping Operations during the Council consultations on South Sudan on 23 February 2017.

The update below is intended to summarize the overall achievements of UNMISS and of the Secretariat in implementing the recommendations of the independent special investigation.

From 12 to 19 March 2017, an independent follow-up mission led by Major General (retired) Cammaert returned to Juba to assess the progress made with regard to the UNMISS-specific recommendations. At the request of my Special Representative, the team also travelled to Malakal to review the status of the implementation of the recommendations contained in the board of inquiry report on the attack on that protection of civilians site in February 2016. The assessment concluded that UNMISS had made a commendable effort to enhance its ability to protect civilians, to better plan and prepare its response to crisis situations and to increase staff safety and security. Importantly, the assessment concluded that the modus operandi and the posture of the military and police components had improved as a result of the corrective actions taken by UNMISS. The main achievements, as documented by the assessment team, are set out below.

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Protection of civilians

UNMISS force headquarters is actively providing leadership and guidance on the effective implementation of the Mission's protection of civilians mandate. In August 2016, a series of Force Commander directives were issued to military contingents, requiring that regular scenario-based training and rehearsals be conducted on mandate implementation, use of rules of engagement and directives on the use of force; dynamic and robust patrolling aimed at preventing human rights violations and the abuse of civilians; integrated contingency planning, including evacuation and extraction exercises, with key actors to facilitate preparedness for worst-case and the most dangerous scenarios; and division of responsibilities between the military, police and United Nations security personnel. UNMISS force headquarters also issues monthly orders on freedom of movement that reinforce the Force Commander's directive on freedom of movement. These stress the imperative for all commanders to understand the provisions of the status-of-forces agreement and require them to assert their right to unrestricted freedom of movement, using all means necessary to do so, in line with the mandate and the rules of engagement. The orders also reinforce pre-existing instructions to stand ground for 48 hours at checkpoints when freedom of movement is denied.

While the operational context in South Sudan remains extremely challenging and the restrictions and bureaucratic impediments imposed by the Government and, in some cases, other warring factions continue to hamper UNMISS freedom of movement, the efforts aimed at improving the troop posture and mindset have improved UNMISS access to key hotspots in the past few months. Since January 2017, UNMISS has, on multiple occasions, successfully deployed long-duration patrols to key locations, prioritizing the Greater Equatoria region owing to increased insecurity, population displacement and human rights abuses in the area. Despite obstacles and delays, patrols have reached Yei (three deployments), Kajo Kaji (three deployments), Lainya (two deployments) and Magwe (two deployments). The integrated patrols have been positively received by the population in the respective locations, as well as by many of the local administrations, which have requested that UNMISS extend its visit. The deployments have enabled UNMISS to conduct human rights monitoring and reporting, as well as outreach to local authorities and civil society. UNMISS is currently planning to extend the period of the long-duration patrols from the current average of one week to up to one month in order to capitalize on the presence of Mission personnel in hard-to-reach areas.

The posture of troops with regard to the protection of civilians at risk of physical violence has also improved, as demonstrated by recent examples of robust intervention by UNMISS uniformed personnel. In Bentiu, peacekeepers successfully confronted and stopped armed actors who had harassed, beaten and attempted to abduct four groups of up to 50 internally displaced persons outside the protection of civilians site, using the appropriate escalation of force in line with the rules of engagement. In Pibor, peacekeepers assumed a robust posture and deployed troops and combat vehicles to manage and protect a sudden influx of more than 800 civilians into the protection site following rumours of an impending attack on the town. Meanwhile, in Yei, UNMISS troops intervened to extract United Nations personnel and Ceasefire and Transitional Security Arrangements Monitoring Mechanism personnel stranded at compounds caught in the crossfire during heavy clashes between the Government and opposition forces.

In Juba, the establishment of a weapons-free zone with a 200-m radius around protection of civilians sites and the United Nations House has resulted in a dramatic drop in reported crime and violence, including incidents of sexual and gender-based violence. UNMISS peacekeepers are conducting dismounted patrols within the area

throughout the day and night, as well as cordon-and-search operations within the protection of civilians sites, to disrupt arms trafficking. Such operations include searches of individuals entering the sites; daily searches of zones of up to 30 shelters; targeted searches of specific shelters based on intelligence; and monthly full-scale cordon-and-search operations of the entire site. Between July 2016 and March 2017, 20 full-scale cordon-and-search operations were conducted. Moving forward, UNMISS formed police units will be expected to increase patrols both inside and outside protection of civilians sites, particularly the weapons-free zones, in line with the concept of operations of the United Nations police and in close coordination with the UNMISS military component. The weapons-free zone has been well received by all stakeholders, including the Government, especially given the marked reduction in criminal activity since its implementation. During the month leading up to the establishment of the weapons-free zone, UNMISS recorded 48 serious incidents in the immediate vicinity of the United Nations House, including murder, armed robbery, violent assault, kidnapping and rape. In the six months since its establishment, a total of 12 serious incidents have been reported in the weapons-free zone, amounting to 2 incidents per month. UNMISS is in the process of establishing similar zones in Wau, Bentiu and Malakal.

Contingency planning and preparedness

To address shortcomings regarding crisis response and preparedness, UNMISS has established a mission planning group consisting of all UNMISS components and sections, as well as, on a case-by-case basis, the Office for the Coordination of Humanitarian Affairs, in order to ensure that all contingency plans are coordinated, integrated, complementary and responsive to the current security analysis and threat assessment. Since July 2016, all infantry battalions inducted into the Mission have undergone scenario-based and integrated response training. In January 2017, the force headquarters began a training-of-trainers course to enable military contingents to conduct rules of engagement training and scenario-based response training for their troops on a regular basis. All scenarios are based on actual incidents that have taken place in a given area of operation and are intended to clearly establish troop responsibilities. Formed police units have also rehearsed their security plans for United Nations compounds and protection of civilians sites. The Mission's Juba security contingency plans were updated and rehearsed during three tabletop exercises and three field training exercises conducted between October 2016 and January 2017. Similarly, since February 2017, a total of nine tabletop exercises have been conducted to validate contingency plans in the field offices, and a training plan for the rest of the year is in place.

To improve the coordination and crisis response capabilities of the Mission in Juba, integrated operations centres comprising the military, police, United Nations security and civilian components have been established at the United Nations House and at Tomping. The tactical military and police command centres are united in the integrated operations centres and operate separately but in close proximity to the UNMISS Joint Operations Centre, which at present is co-located with the Security Operations Centre. The integrated operations centres are responsible for coordinating responses to incidents, both internal and external, at the United Nations House, Tomping and the protection of civilians sites.

Staff safety and security

UNMISS has made significant improvements to the security infrastructure of the UNMISS compound and the protection of civilians site in Juba. In particular, to protect the United Nations House and the protection of civilians sites from indirect or direct fire, the Mission established a 200-m belt around the compound and the

protection of civilians site to create the weapons-free zone mentioned previously. The 4-km perimeter around the United Nations House is also being reinforced with a Mifram defence wall, with more than half of it already completed and the remaining sections to be completed by November 2017. Breaches of the internal perimeter fencing are reported and repaired, either by force patrols on the spot or by mission support, within resources. Observation posts along the perimeter of the United Nations House have been reinforced, and firing positions on the ground have been built. The construction of additional observation posts around protection of civilians sites 1 and 3 is under way.

Four bunkers ("safe havens") for staff in both the residential and office areas of the United Nations House and of Tomping are also nearing completion. A total of 4,000 ballistic blankets have been procured and distributed to staff residing in prefabricated buildings in Juba and in field locations. An integrated security system feasibility study has been completed, and new technologies to enhance situational awareness (perimeter intrusion detection, infrared sensors, closed-circuit television, electronic access control systems, turnstiles, etc.) are being tested in the United Nations House and in Tomping. A "live where you work" policy is also under implementation, with a phased plan in place to complete the transfer of personnel to the United Nations House or to Tomping by the end of May 2017. In Juba, United Nations security has restricted all residences for United Nations personnel to zone 1 (close to the Juba International Airport), in order to reduce the area in which security and UNMISS force support are provided, given the limited capacity.

Since July 2016, United Nations security has made considerable efforts to ensure that the security needs of United Nations agencies, funds and programmes and of international non-governmental organizations are appropriately prioritized in line with the security management framework and the Saving Lives Together framework, respectively. The Security Management Team (in Juba) and the area security management teams (in field locations), which comprise Mission and agency, fund and programme representatives, continue to meet regularly and approve all security assessments and security plans in South Sudan. United Nations security shares security information with all agencies, funds and programmes in a timely manner, using such tools as daily and flash reports, mobile text messages and radio and e-mail broadcasts. Two security officers are embedded in the Office for the Coordination of Humanitarian Affairs, in addition to one security officer assigned to support all agencies, funds and programmes without professional security officers.

With regard to international non-governmental organizations and the Saving Lives Together framework, the international non-governmental organizations forum security focal point is a member of the security cell, which meets once each week. Security information shared with the agencies, funds and programmes is shared with the forum. A United Nations security fact sheet covering alert state, relocation and evacuation procedures, concentration points in Juba, designated safe havens, relocation air routes, key security tools, access control procedures and the plan in response to protection of civilians incidents, among other things, has also been disseminated. In mid-April 2017, the Office for the Coordination of Humanitarian Affairs and the Department of Safety and Security, along with an international non-governmental organization member of the Saving Lives Together framework oversight committee, will hold a joint teleconference with members of the security cell in Juba to further clarify roles and responsibilities under the Saving Lives Together framework and to ensure that all parties have a more realistic and focused approach and are better prepared to respond to crisis situations. In follow-up, incoming security focal points of the international non-governmental organizations

forum will be briefed upon their arrival on the implementation of the Saving Lives Together framework in South Sudan.

Medical response

To improve on-site medical response capacity, a surgical team and support staff have been installed at the United Nations House to provide trauma care. The United Nations House clinic has been upgraded to a "level I plus" facility and at present has a new operating theatre, upgraded X-ray and laboratory facilities and on-site blood supply to handle emergencies, including kinetic incidents, and to stabilize casualties, pending evacuation to a higher-level medical facility.

Malakal

UNMISS has also made significant efforts to implement the recommendations of the Malakal board of inquiry, which include the reinforcement of perimeter security (layers of fencing, deepened ditch, elevated berm and buffer zone). Six high-rise watchtowers and a total of 27 (24 hours a day/7 days a week) observation and sentry posts are in place and firing positions have been constructed along the perimeter to enable more peacekeepers to actively guard it. The Mission has also widened the internal and external perimeter patrolling routes. With respect to robust, proactive security activities, troops are engaged in regular patrolling around the perimeter of the protection of civilians site and UNMISS base, and there is increased troop presence at the access gates to assist United Nations police when necessary. United Nations police and formed police unit personnel are also diligently patrolling within the protection of civilians sites. Cordon-and-search operations have also increased and are currently being conducted on a daily, weekly or monthly basis, either by section or of the camp in its entirety. A culture of robust action through regular training and rehearsals of the rules of engagement and use of force is being instilled.

To implement the recommendations on systemic and strategic issues, the Secretariat task force began its work by circulating the recommendations of the independent special investigation to all 16 peacekeeping operations and sought feedback on the systemic challenges identified in the recommendations. The task force devised and discussed concrete action points to provide a way forward to address the systemic and strategic shortcomings identified in the report, so that in the event of a similar crisis, United Nations peacekeeping missions are better prepared to protect civilians and United Nations personnel. The main action points and achievements are as follows:

- Performance accountability: the Department of Peacekeeping Operations undertook a comprehensive mapping of existing policies and best practices on performance and accountability for both civilian and uniformed personnel. A framework of accountability for performance in implementing the protection of civilians mandate is currently under development. The framework seeks to consolidate and clarify existing policies and mechanisms, with a focus on senior leadership and a view to recognizing and promoting good performance. The Office of Military Affairs also worked with Member States to explore ways to ensure the accountability of uniformed personnel for failure to protect civilians. In January 2017, the Working Group on Contingent-Owned Equipment recommended that the relevant statement of unit requirements indicating the operational capabilities and expected tasks of uniformed personnel be attached to the memorandum of understanding. The memorandum of understanding is a binding document for troop-contributing

countries, establishing accountability for the agreed tasks. If approved by the General Assembly at its second resumed session, the Secretariat intends to attach statements of unit requirements to all current and future memorandums of understanding with troop- and police-contributing countries.

- Guidance and readiness: the Department of Peacekeeping Operations undertook a comprehensive review of the direction provided to senior mission leaders on effective mandate implementation, including the protection of civilians. A protection of civilians crisis management tabletop exercise for civilian heads of mission was developed and piloted in January 2017 and will henceforth be included in all mission leadership induction programmes. A similar exercise for Force Commanders and Deputy Force Commanders is being developed and is due to be rolled out during the upcoming intensive orientation course in May 2017. The Office of Military Affairs also reviewed the guidance given to incoming Force Commanders. Instead of updating the generic Force Commanders directive, mission-specific guidance is currently issued during the induction of all new Force Commanders. The guidance complements the existing Force Headquarters Handbook, which covers in detail the more generic aspects of a Force Commander's duties and responsibilities. The Police Division is also reviewing the final draft of the guidelines for United Nations police in implementing the protection of civilians, intended to ensure, among other tasks, that all United Nations police capacity-building supports the establishment of a protective environment and that formed police units respond appropriately to physical threats against civilians. Upon mandate renewal, the Department of Peacekeeping Operations will ensure the timely issuance of guidance on mandate implementation to peacekeeping operations, including on the protection of civilians, where relevant. With regard to readiness, all peacekeeping operations have been requested to share their integrated crisis response contingency plans for validation by United Nations Headquarters. The conduct of regular scenario-based exercises to validate, refine and rehearse those plans, including the command and control of their implementation, is being streamlined. Troop- and police-contributing countries have also been reminded of the importance of compliance with the requirements concerning language proficiency, which is necessary to enable military and police personnel deployed in the missions to work effectively together in the implementation of United Nations mandates. In addition, as agreed in the memorandums of understanding, relevant personnel who fail the language proficiency test are repatriated. As an immediate measure to address the readiness of uniformed personnel serving in UNMISS, all troop- and police-contributing countries were requested, through a note verbale sent in December 2016, to confirm in writing to the Department of Peacekeeping Operations the willingness of their personnel to conduct dismounted patrols, including standing patrols by day and by night outside the perimeter of United Nations compounds and protection of civilians sites in South Sudan, among other things. Almost all of the infantry troop-contributing countries have responded in the affirmative.

- Training: the Secretariat validates the predeployment training programmes of all troop- and police-contributing countries to ensure that the curriculum includes scenario-based training for commanders on the rules of engagement, mandate implementation and use of force in support of protection of civilians activities. Training programmes within missions have been reinforced to include scenario training on the protection of civilians and, increasingly, the prevention of conflict-related sexual violence. An assessment of in-mission training needs with regard to the protection of civilians is also under way. The Secretariat is also strongly encouraging police-contributing countries to

increase the deployment of qualified women police officers to support key protection tasks, including community-oriented policing and addressing sexual and gender-based violence. As at April 2017, women made up 18 per cent of the police officers deployed.

- Staff morale and welfare: the Secretariat initiated various measures to increase psychosocial support, resilience and trauma counselling in field missions, as well as for staff morale and welfare. Some of the programmes include expanded individual in-person and telecounselling across the Mission to include deep field locations, additional training for emergency and crisis management and self-care and expanded options for staff welfare, including enhancement of accommodation and office and recreational facilities. In addition, internal staff rotation policies are under review to allow staff in the most difficult duty stations to be rotated within the Mission to ensure that stress and trauma are managed.

Significant work has been undertaken over the past five months to enhance the ability of UNMISS to protect civilians, to better plan and prepare its response to crisis situations and to increase staff safety and security, as well as to address the systemic issues plaguing peacekeeping operations in general. The Secretariat task force established to address the systemic issues and implement the recommendations of the independent special investigation was set up for a limited period of time; however, some of the identified action points will require a longer time frame for implementation. The Department of Peacekeeping Operations, the Department of Field Support and United Nations partners will continue to work on these issues in order to strengthen the military, police and civilian capabilities of peacekeeping operations, including through guidance, training and accountability to effectively deliver on mandates, including the protection of civilians, through a regular workflow. The Secretariat will also continue to provide updates, as appropriate, through existing reporting mechanisms.

With regard to UNMISS, both the Mission and the Secretariat concur that, while much has been achieved, more needs to be done to further raise the performance bar. UNMISS, in coordination with the Secretariat, is already reviewing and revising its overall mission concept and strategy (including force laydown) to more effectively deliver on mandated tasks. The process is informed by the lessons learned from the multiple crises experienced in 2016 and the paramount expectation that all Mission components employ an outward-looking and more assertive posture and approach in delivering mandated activities. The UNMISS senior leadership team has set the tone for the effective delivery of the protection of civilians mandate. I expect the newly appointed UNMISS Force Commander to play an equally pivotal role in this ongoing endeavour.

The Department of Peacekeeping Operations and the Department of Field Support will also work closely with UNMISS to sustain the achievements made to date on the protection of civilians and crisis response and preparedness. This will include a continued dialogue with Member States to uphold performance standards for all peacekeepers deploying to UNMISS and a strategy to institutionalize and standardize the approach to the protection of civilians through the deployment of mobile training teams to the Mission to deliver context-specific training for uniformed and civilian personnel.

These efforts notwithstanding, effective mandate implementation will hinge on an enabling political, security and operational environment. I urge the Security Council to make a concerted effort to ensure that the Transitional Government of National Unity cooperates fully with UNMISS to ensure freedom of movement and that it assumes its primary responsibility to protect civilians, including taking

proactive measures to reduce ethnic tensions and holding accountable those who perpetrate egregious acts against civilians, protection of civilians sites and United Nations and humanitarian personnel and premises. Finally, if UNMISS is to be an effective tool in the achievement of a sustainable peace for South Sudan, the Security Council, in coordination with the region, must immediately pursue a collective strategy to facilitate a cessation of hostilities and ensure inclusivity in the national dialogue and in the implementation of the peace agreement. Without such a political strategy, the demands on UNMISS will continue to increase while its operating environment becomes further constrained.

(*Signed*) António **Guterres**